

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  COMPLAINTS OF HELEN ADOLPHSON AND CHARLOTTE SKALLERUP	DOCKET NO. FCU-2013-0006 (C-2013-0006, C-2013-0011)
---	---

**ORDER DOCKETING FOR FORMAL PROCEEDING AND  
ASSIGNING TO ADMINISTRATIVE LAW JUDGE**

(Issued June 24, 2013)

**I. BACKGROUND**

On April 29, 2013, Utilities Board (Board) staff issued proposed resolutions in two rural call completion complaints, identified as C-2013-0006 and C-2013-0011, recommending that the Board, on its own motion pursuant to Iowa Code § 476.3(1), docket the complaints for further investigation. On May 8, 2013, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) joined in staff's request for a formal proceeding. The Board agrees with its staff and Consumer Advocate that further investigation of these two complaints is warranted and will docket this matter for formal proceeding. The record in the informal complaint proceedings to date can be summarized as follows:

In the informal proceeding identified as C-2013-0006, Ms. Helen Adolphson filed a complaint with the Board on January 17, 2013, stating that for several months she had experienced problems calling her mother, Ms. Faye Wookey, who resides in

Emerson, Iowa. Ms. Adolphson explained that her local and long distance service is provided out of Red Oak, Iowa, by Qwest Corporation, d/b/a CenturyLink (CenturyLink), and Ms. Wookey's service provider is Interstate Communications (Interstate). As described by Ms. Adolphson, the problems she encountered when attempting to call her mother's telephone number include instances where the phone rang on Ms. Adolphson's end of the call, but Ms. Wookey later reported that her phone did not ring; after a call would ring once or twice, Ms. Adolphson would hear a busy tone; calls would be dropped; or calls would go through, but with a poor connection. Ms. Adolphson explained she was concerned about these problems because her mother is 97 years old and if she does not answer the phone, Ms. Adolphson must drive to her home to ensure her welfare. Ms. Adolphson explained that her mother's service provider, Interstate, had been contacted several times about the problems, but was not able to find any problems with its systems.

In the informal proceeding identified as C-2013-0011, Ms. Charlotte Skallerup, Ms. Adolphson's sister and a resident of Glenwood, Iowa, filed a complaint with the Board on January 22, 2013, stating that she had experienced problems calling her mother, Ms. Wookey. Ms. Skallerup's local and long distance service provider is CenturyLink. Ms. Skallerup noted that Interstate, Ms. Wookey's service provider, had visited Ms. Wookey's home several times to investigate the calling problems. Ms. Skallerup noted that neither she nor her sister has problems with other long distance calls. Ms. Skallerup described the problems calling her mother's number as follows:

sometimes the call would go through without difficulty; other times the call would ring once or twice and then go dead; other times the ring sounded fine initially but then sounded garbled and if her mother answered, they could not hear or understand each other. In some cases, Ms. Skallerup has had to call as many as eight to ten times before the call would connect. Ms. Skallerup stated she was concerned about the reliability of her telephone service because if her mother does not answer the phone, Ms. Skallerup must drive 30 miles to check on her mother. Noting that her mother has a medical alert device from the Red Oak, Iowa, hospital, Ms. Skallerup questioned whether that service would work properly if Ms. Wookey's phone does not always work.

Board staff commenced an investigation of the complaint, forwarding the complaint to CenturyLink and InterMetro Communications, Inc. (InterMetro), identified in the course of the investigation as an underlying carrier used by CenturyLink to route the calls.

On February 7, 2013, CenturyLink responded to Ms. Adolphson's complaint, stating that tests of its equipment (Ms. Adolphson's line, cable, and central office connections) revealed no problems and test calls completed successfully. According to CenturyLink, Ms. Adolphson indicated that the problem was not persisting at that time. In a response dated March 21, 2013, CenturyLink addressed Ms. Adolphson's and Ms. Skallerup's complaints, stating that CenturyLink followed its standard process for long distance call completion inquiries and opened a trouble report ticket

for Ms. Adolphson's telephone number and for Ms. Skallerup's number. CenturyLink explained that it searched its call records for those telephone numbers for calls that corresponded to the information provided in the complaints. According to CenturyLink, not all of the calls were found, but testing was done on the calls that were located and CenturyLink's technician determined that routing caused the problem for "the three calls" for which records were found. CenturyLink stated that its technician removed InterMetro, the underlying carrier CenturyLink used to route the calls, as an intrastate routing option for the numbers in question, and opened a trouble report ticket with InterMetro. According to CenturyLink, its technician contacted Ms. Adolphson and Ms. Skallerup to verify that calls were completing to their mother's telephone number.

In its March 21, 2013, response, CenturyLink provided the following description of its standard investigation process:

Where there is an issue with the performance of a CenturyLink customer's long distance service, and the customer contacts CenturyLink, CenturyLink opens a trouble report ticket, the issue is identified and documented, and troubleshooting takes place.

If the issue is related to routing, the route path is reviewed and may be changed and tested for efficacy to allow the customer's traffic to properly flow.

If an underlying carrier is involved in the problem, it is removed from the path (NPA/NXX) and a trouble report ticket is opened with the underlying carrier. That carrier must conduct a root cause analysis, address the issue to resolution, take corrective action, test its fix, notify CenturyLink, and test with CenturyLink

before CenturyLink will re-instate it to be used for processing calls and close the trouble report ticket.

The original customer issue is worked, its resolution tested and confirmed, and it is closed with the customer.

CenturyLink also provided the following description of how telephone traffic is routed to rural telephone companies:

Long distance traffic is routed based on the dialed digits. The route is designated based on the Local Exchange Routing Guide (LERG) information related to the local exchange of the called TN (for ported numbers, the local routing number is used). Traffic that originates and terminates within a state has designated routing options. These are designated based on business and traffic needs. Traffic that goes between states has designated routing options as well, which are also based on business and traffic needs.

On April 19, 2013, the Board received a response from InterMetro stating that for the telephone numbers in question, it received a call from CenturyLink and, in turn, it passed the call to another provider to complete the call in Iowa. InterMetro noted that CenturyLink had identified an intermittent problem in this area and submitted two trouble tickets to InterMetro. InterMetro stated it researched the matter, identified the provider with the intermittent problem, stopped using that provider to deliver calls to Iowa, and worked with CenturyLink's technician to verify that the call completion problem was resolved.

Board staff asked InterMetro to provide the name of the underlying provider mentioned in InterMetro's response. InterMetro responded by noting that pursuant to a confidentiality clause in its contract with that vendor, it treats its vendor information

as confidential and proprietary. InterMetro asked for assurances that the Board would treat the vendor's identity as confidential and inquired about the procedure for submitting confidential information.

On April 29, 2013, staff issued proposed resolutions in Complaint Files C-2013-0006 and C-2013-0011. In each case, staff found that after CenturyLink removed InterMetro from the routing and performed test calls, the calls completed successfully. Staff noted that InterMetro handed the calls off to another provider, but had not identified that provider. Staff recommended that the Board, on its own motion, initiate a formal proceeding to allow further investigation of the call completion issues involved in these complaints, including the roles and responsibilities the various carriers have with respect to the alleged call failures. Staff also noted that initiating a formal proceeding would establish a docket in which InterMetro could file a request for confidential treatment of the identity of its underlying carrier, thereby allowing the investigation to proceed.

On May 8, 2013, Consumer Advocate joined in staff's request for a formal proceeding. Consumer Advocate concurs with staff that there is a reasonable ground for further investigation under the meaning of Iowa Code § 476.3, noting that the problems reported in these complaints are occurring with sufficient frequency to justify investigation. Consumer Advocate also agrees with staff that investigation is necessary regarding the roles and responsibilities of the carriers involved in these complaints, including the underlying carrier used by InterMetro, yet to be identified,

which was removed from the call routing. Consumer Advocate agrees that initiating a formal proceeding would give InterMetro an opportunity to request confidential treatment of the identity of the underlying carrier, as well as an opportunity for other parties to resist such a request. Consumer Advocate points out that further investigation is needed regarding the nature of these call completion problems to reach an understanding of how to prevent the problems before they occur.

## II. DISCUSSION

As has been observed in recent orders docketing other call completion complaints for further investigation,<sup>1</sup> call completion issues have been increasing in frequency as documented in complaints filed with the Board, especially in rural areas. Certain call failures can pose a risk to the public health and welfare. In the two complaints at issue, two sisters described difficulties they have experienced in completing telephone calls to their elderly mother. The Board finds that there are reasonable grounds for further investigation of these complaints.

Further investigation would be useful to learn more about the causes for call failures in this context, where the complainants are the persons who originated the calls that did not complete. The information CenturyLink provided in the informal proceedings about its standard investigation process is useful, but does not address

---

<sup>1</sup> See *In Re: Rehabilitation Center of Allison, Iowa*, Docket No. FCU-2012-0019, "Order Canceling Hearing, Vacating Procedural Schedule, and Assigning to Administrative Law Judge" (issued April 2, 2013); *In Re: Huxley Family Physicians*, Docket No. FCU-2013-0004, "Order Granting Request for Formal Proceeding and Assigning to Administrative Law Judge" (issued May 23, 2013); and *In Re: Hancock County Health Systems*, Docket No. FCU-2013-0005, "Order Granting Request for Formal Proceeding and Assigning to Administrative Law Judge" (issued June 10, 2013).

how call completion problems can be prevented. Moreover, further investigation would be useful to learn more about the role of the underlying carrier used by InterMetro and the standards used by InterMetro to assess that carrier's performance and to ensure call completion. An explanation from InterMetro's underlying carrier about what it did once it received the calls from InterMetro would add to the Board's understanding of what caused the difficulties Ms. Adolphson and Ms. Skallerup encountered when trying to call their mother. If InterMetro continues to assert that the identity of its underlying carrier should be protected from public disclosure, InterMetro may file with the Board a request for confidential treatment of that information, pursuant to Iowa Code § 22.7 and the Board's rules at 199 Iowa Administrative Code 1.9(6).

The preceding discussion includes examples of the unanswered questions in this case; further investigation may identify other relevant questions. The Board finds that reasonable grounds have been shown for further investigation. The Board will docket the complaints for a formal proceeding identified as Docket No. FCU-2013-0006 and will assign the matter to its administrative law judge for further proceedings.

### **III. ORDERING CLAUSES**

#### **IT IS THEREFORE ORDERED:**

1. Pursuant to Iowa Code § 476.3(1), the Board docketed File Nos. C-2013-0006 and C-2013-0011 for further investigation. The matter is identified as Docket



No. FCU-2013-0006. The issues for investigation are as described in the body of this order and as they may develop during the course of the proceedings.

2. Docket No. FCU-2013-0006 is assigned to Administrative Law Judge Amy L. Christensen for further proceedings, pursuant to Iowa Code § 17A.15 and 199 IAC 7.3.

**UTILITIES BOARD**

/s/ Elizabeth S. Jacobs

/s/ Swati A. Dandekar

ATTEST:

/s/ Joan Conrad  
Executive Secretary

/s/ Nick Wagner

Dated at Des Moines, Iowa, this 24<sup>th</sup> day of June 2013.